

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff,

Plaintiff,

v.

CREDIT SUISSE AG; CREDIT SUISSE AG,
NASSAU BRANCH; CREDIT SUISSE
(LUXEMBOURG) SA; CREDIT SUISSE
INTERNATIONAL; CREDIT SUISSE
NOMINEES (GUERNSEY) LIMITED; CREDIT
SUISSE LONDON NOMINEES LIMITED; and
CREDIT SUISSE (UK) LIMITED;

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 11-02925 (CGM)

**REVISED NOTICE OF HEARING ON
DEFENDANTS' MOTION TO DISMISS**

WHEREAS, on April 15, 2022, the United States Bankruptcy Court for the Southern District of New York, the Honorable Cecelia G. Morris, so-ordered a Stipulation and Order (Dkt. 102) (the “Scheduling Order”), setting forth a briefing schedule for Defendants’¹ motion to dismiss the Complaint dated December 12, 2011 (Dkt. 1), filed by Irving H. Picard (the “Trustee”), as Trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa-lll, and the substantively consolidated chapter 7 estate of Bernard L. Madoff (together with Defendants, the “Parties”), and as amended by the Parties’ Stipulation and Order entered on March 29, 2022 (Dkt. 101); and

WHEREAS, on June 15, 2022, as required by the Scheduling Order, Defendants moved to dismiss the Trustee’s Complaint under Federal Rule of Civil Procedure 12(b)(6) (the “Motion”); and

WHEREAS, under the Scheduling Order, the Trustee will file his opposition to the Motion on or before August 15, 2022; and

WHEREAS, under the Scheduling Order, Defendants will file their reply in further support of the Motion on or before September 15, 2022;

NOW, THEREFORE, PLEASE TAKE NOTICE that a hearing will be held on the Motion before the Honorable Cecelia G. Morris, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York on **October 19, 2022 at 10:00 a.m.**, or at the Court’s earliest convenience.

¹ Defendants are Credit Suisse AG; Credit Suisse AG, Nassau Branch; Credit Suisse (Luxembourg) SA; Credit Suisse International; Credit Suisse Nominees (Guernsey) Limited; Credit Suisse London Nominees Limited; and Credit Suisse (UK) Limited.

Dated: June 24, 2022
New York, New York

Respectfully Submitted,

O'MELVENY & MYERS LLP

By: Daniel S. Shamah

William J. Sushon

Daniel S. Shamah

Kayla N. Haran

7 Times Square

New York, New York 10036

Telephone: (212) 326-2000

Facsimile: (212) 326-2061

wsushon@omm.com

dshamah@omm.com

kharan@omm.com

*Attorneys for Defendants Credit Suisse AG;
Credit Suisse AG, Nassau Branch; Credit
Suisse (Luxembourg) SA; Credit Suisse
International; Credit Suisse Nominees
(Guernsey) Limited; Credit Suisse London
Nominees Limited; and Credit Suisse (UK)
Limited*